

29723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
Kamaljit S. Paul

Group Art Unit: 3732

Serial Number: 10/662,194

Examiner: Eduardo C. Robert

Filed: 09/12/2003

Title: BONE SUPPORT PLATE ASSEMBLY

SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to Applicant's duty of disclosure set forth in 37 C.F.R. §1.56, the Applicant wishes to bring to the Examiner's attention the references listed on the attached PTO Form 1449.

No representation is made, and no representation is intended, that more relevant material does not exist or that the order of presentation of these materials in any way reflects their relative pertinence. The references cited on the attached PTO Form 1449 are not intended to constitute an admission of any kind. Specifically, this presentation is not an admission that any of the items listed on the attached PTO Form 1449 are properly citable against the above-identified application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450.

On: October 26, 2004

Glen Graham

(Types name of person mailing paper or fee)

(Signature)

(Date Signed)

11/01/2004 YPOLITE1 00000003 232130 10662194

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Serial Number: 10/662,194

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In accordance with the provisions of 37 C.F.R. §1.98, the references are listed on the attached PTO Form 1449 and copies are submitted herewith. The attached copies may have been pulled from Applicant's or assignee's file. Accordingly, some of the references may have written indicia thereon. It is requested that the Examiner ignore all such written indicia as such indicia may not be relevant to the instant case or may not be an accurate characterization of the reference.

This Information Disclosure Statement is being filed before issuance of a first Office Action or within three months of the filing date of the referenced patent application. Accordingly, no fee is due. Nevertheless, the Commissioner is hereby authorized to charge payment of any additional fees due under 37 C.F.R. §1.17 or credit any overpayment to Deposit Account No. 23-2130.

It is Applicant's desire to have these references available in the record for both the Examiner and the public to review. Applicant, therefore, requests that the Examiner review the entire disclosure of each reference and make all references of record.

U.S. Patent Documents:

|              |            |              |
|--------------|------------|--------------|
| 2004/0019353 | 01/29/2004 | Freid et al. |
| 2004/0092939 | 05/13/2004 | Freid et al. |

Foreign Patent Documents:

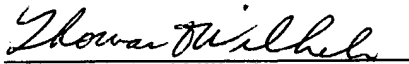
|              |            |              |
|--------------|------------|--------------|
| WO 03/063714 | 08/07/2003 | Freid et al. |
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Customer Number: 23482

Respectfully submitted,  
Kamaljit S. Paul

October 26, 2004  
920-831-0100  
920-831-0101FAX

By:

  
Thomas D. Wilhelm  
Attorney for Applicant  
(Reg. No. 28,794)



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Patent

Remarks

Claims 1-92 have been canceled. Claims 98 and 100 have been amended. New Claims 101-108 have been added. Claims 93-108 are now in the application.

Regarding the Restriction Requirement, Applicant submits that 91 of the 100 claims previously in the application read on the invention of FIGURES 1-3; and that various ones of the independent claims were generic. However, in order to move the application toward allowance, Applicant has canceled a large number of claims, reserving the right to represent such claims, or any other appropriate claims, in this application, or any continuing application.

A supplementary IDS is enclosed herewith. A fee in the amount of \$180 is due for the IDS. No other fee is believed to be due. Should any fee submitted herewith be insufficient, or if any other fee is due, or if any refund is due, kindly charge same, or credit any refund, to deposit account 23-2130.

Respectfully submitted,  
Kamaljit S. Paul

By: Thomas D. Wilhelm  
Thomas D. Wilhelm  
Attorney for Applicant

October 26<sup>th</sup>, 2004

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Substitute for form 1449/PTO **Complete if Known**

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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| Sheet 1 |  | Of | 1 |
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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

| FOREIGN PATENT DOCUMENTS |                          |  |                                |  |   |                |
|--------------------------|--------------------------|--|--------------------------------|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document  | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or<br>Relevant Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code (if known) |                                |  |   |                |
|                          |                          | WO 03/063714   | 08/07/2003                     | Freid et al.                                       |   |                |
|                          |                          |  |                                |  |   |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.